Table 5. Draft Environmental Justice Analysis Specific Comments

No.	Draft Environmental Justice Analysis		Type	Comment and Requested Modification
	Page	Section		
J5	21-22	5.0	E	In the 1st full paragraph on this page, the statement is made that **"Certain** types of UIC permits have been identified as priority permits, including permits for Class V deep injection wells and Class III ISR **wells"** by EPA Region 8 **"due** to the potential for significant public health or environmental **impacts."** In light of the evidence that there has never been an off-site impact to non-exempt groundwater after decades of uranium ISR operation in the U.S., Powertech requests explanation as the source of this **"potential** for significant public health or environmental **impact."**
J10	25	5.0	C	The statements are made that **"The** proposed Class III Area Permit requires Powertech to develop a Wellfield Closure Plan that is based on the Conceptual Site Model required in Part IV, Section A and geochemical modeling required in Part IV, Section B. The purpose of the geochemical modeling is to evaluate the potential for ISR contaminants to cross the aquifer exemption boundary into the surrounding USDWs. Part IV, Section C of the proposed Class III Area Permit includes requirements to calibrate the geochemical model for each wellfield based on site-specific sampling and analysis of the geochemical and water quality information acquired according to the specifications in the Conceptual Site Model. The Conceptual Site Model includes monitoring requirements that are tied to the timing of groundwater restoration and stability monitoring phases as discussed under Section 12.6.4. The Wellfield Closure Plan shall demonstrate that the wellfield closure, including plugging and abandonments of all wellfield injection and production wells, will result in adequate protection of USDWs as required under 40 CFR § 146.10(4). If the Closure Plan does not demonstrate adequate protection of USDWs, the Director shall prescribe aquifer cleanup and monitoring where he deems it necessary and feasible to insure adequate protection of USDWs to fulfill the requirements under 40 CFR § 146.10(4). For a more detailed discussion of wellfield monitoring, see the Class III Area Permit Fact Sheet, Section 12.0. The EPA proposes to include stringent characterization requirements in the Class V deep injection well permit to ensure that injection zone fluids remain within the injection **zone.."** NRC license requirements are adequate to ensure protection of the non-exempt aquifers surrounding the wellfields. Powertech requests replacing the above text as follows: The EPA has reviewed NRC requirements to ensure that ISR contaminants potentially migrating out of the ISR wellfield will not cause a violation of MCLs or otherwise adversely affect human health outside of the exempted aquifer.
J13 – New Comment	44	7.7	C	**"The** proposed EPA UIC Class III permit requires Powertech to demonstrate through geochemical modeling, calibrated by monitoring in the field, that no ISR contaminants will cross the aquifer exemption boundary into **USDWs."** Powertech requests that EPA revise this statement to **"The** proposed EPA UIC Class III permit requires Powertech, consistent with NRC requirements, to meet the federal standards under 10 CFR Part 40, Appendix A, Criterion 5 for protection of **USDW's** outside of the aquifer exemption **boundary."**

Comment type key: **A** – alternate approach proposed; **C** – correct to be consistent with application, regulations or NRC license requirements; **E** – additional explanation requested; **I** – inconsistency (internally inconsistent between parts of Draft permit or supporting documents); **R** – remove; inconsistent with application, regulations or NRC license requirements; **T** – typographical error

Table 5. Draft Environmental Justice Analysis Specific Comments (cont.)

No.	Draft Environmental Justice Analysis		Type	Comment and Requested Modification
	Page	Section		
J14 – New Comments	46	7.8	I	Consistent with a number of previous comments, Powertech requests the following edits: The UIC proposed permit requirements: - consider effects to the downgradient underground sources of drinking water and private wells completed in the injection zone ~~by requiring Powertech to develop a wellfield closure plan including a geochemical model and targeted monitoring requirements to verify that no ISR contaminants cross the aquifer exemption boundary;~~ - ~~include in the proposed revised Class III permit, a robust conceptual site model designed to support geochemical models calibrated by field sampling and monitoring programs that will lead to a wellfield closure plan designed to protect USDWs;~~
J15 – New Comments	46	7.8	I	Consistent with a number of previous comments, Powertech requests the following edits: - impose requirements for ~~additional~~ hydrogeologic characterization ~~and monitoring~~ that must be met before the EPA will authorize operation of the injection wells, including: o extensive evaluation and characterization of injection zone and confining zone hydrogeologic conditions for both the Class III ISR and Class V deep injection wells; o protective construction and operating requirements for injection wells; o ~~and demonstration that extensive excursion monitoring programs are in place for the Class III wellfields that are designed to detect any threat to USDWs in a timely manner enabling Powertech to implement mitigation measures before USDWs are impacted;~~

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